

SECOND SUPPLEMENTARY REPORT
TO THE PLANNING COMMITTEE
28th February 2017

Agenda item 9

Application ref. 16/01107/OUT

Land at Selbourne, Pinewood Road, Ashley

Since the preparation of the main agenda report and the first supplementary report, one further letter of representation has been received raising the following objections:

- Reliance on private transport which is contrary to the principles of sustainability
- There are already a large number of plots in Loggerheads with planning permission that have not yet been built on
- Visual and landscape impact on the character of this sensitive setting

As referred to in the first supplementary report, **Loggerheads Parish Council** has sent a letter to all members of the Planning Committee. The following is a summary of the comments made within this correspondence:

- In the agenda report the Officer states that given the previous decisions of the Council on sites immediately adjacent to and opposite the current site, it is not considered that an objection could be sustained on the grounds that the site is in an unsustainable location. The Parish Council considers that just because 2 previous decisions have been taken to permit under delegated powers, it does not make it the right decision and would not stand up to legal challenge under planning law as a legitimate reason to permit yet another application in this clearly unsustainable location.
- Reference is made to other recent decisions that have been taken under delegated powers for applications on Pinewood Road which have been refused that are closer to Loggerheads than this site by a quarter of a mile. There is an obvious lack of consistency.
- There is an appeal decision for a dwelling in Ashley reported on the agenda. This is 0.5 miles from the Selbourne site but the Inspector's comments that led to his decision to dismiss the appeal apply equally to this site.
- Regarding the Tagedale Quarry Inquiry, the Borough Council's evidence focussed on the lack of facilities in Loggerheads and presented significant evidence to support the assertion that Loggerheads is not a sustainable location. Your Officer continues to state that this site is in a sustainable location, which is the opposite of what was argued by the Council's planning consultant regarding Tagedale Quarry.
- The other major part of the Borough Council's evidence at the Tagedale Inquiry was to counter the Appellant's assertion that the Borough Council's planning policies are out of date. In this report the planning Officer confirms that "this site is not within a village envelope and the proposed dwellings would not serve an identified local need and as such are not supported by policies of the Development Plan".
- Reference is made to the "Burntwood" playground but this is confusing as the play area is on Hugo Way. The distance from Pinewood Road to Hugo Way is too far, nearly a mile, to make it a reasonable proposition that children from houses at Selbourne could make use of a play area at Hugo Way.
- It is requested that Members give serious consideration to this total lack of consistency in decision making by the Planning Department. How can some applications be refused and others permitted on the same road? It is requested that this application is refused on the same grounds as the others that have been refused on Pinewood Road.

Your Officer's comments

The concerns expressed in the additional representation received and reported above are largely addressed within the report other than the reference to the number of unimplemented planning permissions within the area. Whilst this is the case it is not material to the determination of this planning application.

Your Officer's response to the matters raised by the Parish Council in their letter to Planning Committee members are set out below:

- Irrespective of whether previous decisions were made under delegated powers or by the Planning Committee, they are the decisions of the Council. Given that this Council concluded in relation to four sites adjacent to and opposite the current site, that this is a sustainable location, your Officer maintains the view that it would be unreasonable to conclude that the application site is in an unsustainable location.
- Regarding the other sites referred to by the Parish Council, your Officer has the following comments:
 - Bank Top, Pinewood Road (Ref. 15/00377/FUL) – this site is mid-way along Pinewood Road between its junction with Eccleshall Road to the south-west and its junction with Newcastle Road to the north-east. As a result, pedestrians would have to walk some distance along Pinewood Road, which has no pavements or lighting, to access bus stops or village facilities. The application site however is closer to Newcastle Road and there is a public footpath (Loggerheads 17) opposite the site which links Pinewood Road to Newcastle Road. The village facilities can be accessed on foot along Newcastle Road via the lit footpath alongside this route.
 - Meadowside, Pinewood Road (Ref. 16/00139/OUT & 16/00926/OUT) – this site is at the junction of Pinewood Road with Eccleshall Road and has been considered by Officers to be in a sustainable location. However, the site contains protected trees and the proposals involved the removal of some of those protected trees and put others at risk. In refusing those schemes it was concluded that whilst the site is in a sustainable location, the harm caused by impact on the trees and the loss of character significantly and demonstrably outweighed the benefits of the scheme. This contrasts with the current application proposal which would have no adverse impact on trees or landscape character.
 - Site 2, Pinewood Road (Ref. 16/01033/OUT) – Similar to Bank Top referred to above, access to the bus stops, shops and facilities of Loggerheads would require residents to walk a relatively significant distance along Pinewood Road which is a narrow rural lane with no lighting or pedestrian footway and is different to this application site for the reasons set out above.
 - Highdown, Eldertree Lane, Ashley (Ref. 16/00343/OUT) – This site is a considerable distance away from the shops and services of Loggerheads which contrasts from the current application site which is within walking distance of the village centre.
- Notwithstanding evidence given by the Council's witness at the Tadgedale Quarry appeal, your Officer's professional view remains that given the number of shops and services in the village and the choice of modes of transport available, Loggerheads is a sustainable location.
- Notwithstanding evidence given by the Council's witness at the Tadgedale Quarry appeal, your Officer's view remains that in the context of the Council's inability to robustly demonstrate a 5 year plus 20% supply of deliverable housing sites, policies relating to the supply of housing cannot be considered up-to-date. Therefore, it is not considered appropriate to resist the development on the grounds that the site is in within the rural area outside of a recognised Rural Service Centre.
- The playground at Hugo Way is the only playground in the area and it is the closest facility to the application site. Given this, if the occupiers of the new dwellings did wish to visit a playground they would have to travel to the Hugo Way site, thus putting additional pressure on those facilities. As such, it remains your Officer's view that the requested financial contribution would comply with Section 122 of the CIL Regulations.

The RECOMMENDATION remains as per the main agenda report.